

AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all prior revisions and listings of claims in the application:

1. (Currently Amended) An apparatus for holding a pastry item, which comprises:
a ~~holder container~~ member for ~~holding at least partially containing~~ a pastry item, said ~~holder container~~ member dimensioned and configured for insertion into a vessel containing a liquid therein, said ~~container~~ holder member including first and second container members operatively connected to each other and adapted for relative movement between an open position for receiving the pastry item and an approximated position for substantially enclosing the pastry item, said first and second container members including generally disc-shaped support walls, at least one of said support walls surface ~~and~~ having at least one aperture extending therethrough ~~through said at least one support surface~~, whereupon at least partial insertion of said holder ~~container~~ member within the vessel, the liquid passes through said at least one aperture to contact the pastry item contained therein; and

a handle member depending from said holder member, said handle member dimensioned for engagement by the user, said handle member adapted to be manipulated to cause said first and second containers to move between the open and approximated positions.

2. (Canceled)

3. (Canceled)

4. (Canceled)

5. (Canceled)

6. (Currently Amended) The apparatus according to claim 5 2 wherein said handle member includes a at least one movable member ~~operatively connected to said first support element~~, said movable member movable to cause relative movement of said ~~support element~~ first and second container members between said open and approximated ~~first and second~~ positions.

7. (Canceled)

8. (Currently Amended) The apparatus according to claim 6 wherein said ~~enclosure~~ holder member is dimensioned to accommodate a cookie.

9. (Currently Amended) A method for at least partially immersing ~~dunking~~ a pastry item within a vessel containing a fluid therein, comprising the steps of:

providing a pastry holder including opposed first and second container members operatively connected to each other and adapted for relative movement between respective open and approximated positions ~~support elements arranged to support a pastry therebetween~~, at least one of said first and second container members ~~support elements~~ including an aperture therein;

manipulating a handle operatively connected to said pastry holder to cause said first and second container members to assume said open position;

positioning a pastry item between said first and second container members;

manipulating said handle to cause said first and second container members to assume said approximated position ~~opposed support elements~~ whereby the pastry item is substantially contained within said pastry holder; and

inserting said pastry holder within the vessel to at least partially submerge the pastry item in the fluid whereby the fluid passes through said aperture to contact the pastry item.

10. (Currently Amended) The ~~apparatus~~ method according to claim 9 wherein said pastry item is a cookie and wherein the step of inserting includes submerging at least a portion of the cookie in the fluid of the vessel.

11. (New) The apparatus according to claim 1 wherein said support walls of each said first and second container members includes at least one said aperture extending therethrough.

12. (New) The apparatus according to claim 11 wherein said at least one of said support walls includes a plurality of apertures extending therethrough.

13. (New) The apparatus according to claim 1 wherein said first and second container members each include a substantially annular transverse wall extending from respective support walls, said support walls and said transverse walls of said first and second container members defining an internal cavity for accommodating the pastry item when in said approximated position.

14. (New) The apparatus according to claim 13 wherein at least one of said transverse walls defines an aperture extending therethrough.

15. (New) The apparatus according to claim 1 wherein the first and second container members are in abutting non-overlapping relation when in the approximated position.

16. (New) The method according to claim 9 wherein said at least one of said first and second container members includes a plurality of apertures and wherein during the step of inserting the fluid passes through said apertures to contact the pastry item.

17. (New) The method according to claim 9 wherein at least one of said first and second container members includes a support wall and a transverse wall disposed about the periphery of said support wall and depending therefrom, whereby during the step of manipulating said handle to cause said first and second container members to assume said approximated position, said first and second container members define an internal cavity to substantially enclose the pastry item.

18. (New) The method according to claim 17 wherein each said first and second container members includes a support wall and a transverse wall disposed about the periphery of said support wall and depending therefrom, whereby, upon the step of manipulating said handle to cause said first and second container members to assume said approximated position, said first and second container members define an internal cavity to substantially enclose the pastry item.

19. (New) The method according to claim 9 wherein the handle member includes first and second handle elements operatively connected to each other, said first handle

element adapted to move relative to said second handle element, wherein during the steps of manipulating, said first handle element is moved relative to said second handle element to cause said first and second container members to move between respective open and approximated positions.

20. (New) An apparatus for holding a pastry item to facilitate immersing of the pastry item in a liquid, which comprises:

a holder member including a pair of substantially similarly shaped container members operatively connected to each other and adapted for relative movement between an open position and a closed position, said container members each including a primary support wall and a transverse wall disposed about the periphery of said support wall and depending therefrom, said support walls and said transverse walls defining a substantially enclosed internal cavity when said first and second container members are in said approximated position, said support walls each including apertures extending therethrough whereupon at least partial immersing of said holder member within the vessel, the liquid passes through said apertures to contact the pastry item contained within said internal cavity.

21. (New) The apparatus according to claim 20 wherein said transverse walls of said container members define apertures extending therethrough.

22. (New) The apparatus according to claim 20 wherein said transverse walls of said container members are in abutting relation in said approximated position thereof.